

THE INDIAN CHIEFTAIN.

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VINITA, INDIAN TERRITORY, THURSDAY, APRIL 26, 1900.

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FOR FINAL ENROLLMENT.

Commission Census Begins Monday, May 14th.

The commission of the five civilized tribes will be at the place the dates named below during the year 1900, for the purpose of making a census of Cherokee citizens.

Heads of families may enroll members of their families and minor children who make their homes with them. Guardians may enroll their wards.

Bennett: From Monday, May 14, to Friday, May 18, inclusive. Illinois: From Monday, May 14, to Friday, May 18, inclusive. Tablequah: From Monday, May 28, to Friday, June 8, inclusive.

Rose: From Monday, May 11, to Friday, May 15, inclusive. Spavinaw: From Monday, May 18, to Friday, June 22, inclusive.

Wagoner: From Monday, June 25, to Friday, June 29, inclusive. Fairland: From Monday, July 2, to Friday, July 13, inclusive.

Vestville: From Monday, July 2, to Friday, July 20, inclusive. Stillwell: From Monday, July 2, to Friday, July 27, inclusive.

Sunch: From Monday, July 2, to Friday, August 3, inclusive. Callisaw: From Monday, August 6, to Friday, August 10, inclusive.

Muldrow: From Monday, August 13, to Friday, August 17, inclusive. Fort Gibson: From Monday, August 20, to Friday, August 24, inclusive.

Troy Creek: From Monday, September 10, to Friday, September 14, inclusive. Vinita: From Monday, September 17, to Friday, September 28, inclusive.

Velox: From Monday, October 2, to Friday, October 5, inclusive. Bartlesville: From Monday, October 8, to Friday, October 12, inclusive.

Nowata: From Monday, October 15, to Friday, October 19, inclusive. Holagah: From Monday, October 22, to Friday, October 26, inclusive.

Claremore: From Monday, October 29, to Friday, November 2, inclusive. Oboos: From Monday, November 12, to Friday, November 16, inclusive.

Chesles: From Monday, November 19, to Friday, November 23, inclusive. His work is done preparatory to making final rolls of Cherokee citizens under provisions of the act of congress, approved June 28, 1898, viz:

That in making rolls of citizens of the several tribes, as required by law, the commission to five civilized tribes is authorized and directed to take the roll of Cherokee citizens of eighteen hundred and eighty (not including freedmen) as the only roll intended to be confirmed by the preceding acts of congress, to enroll all persons now living whose names are found on the roll, and all descendants born on or after the date of said roll to persons whose names are found on the roll, and all persons who have been heretofore made permanent settlement in the Cherokee nation whose parents, or one of their parents, were lawfully admitted to citizenship by tribal authorities, who were minors when their names were admitted; and they are directed to investigate the right of all persons whose names are found on any other rolls and omit such as may have been placed on by fraud or without authority of law, enrolling only such as have lawful right thereto, their descendants born since the rolls were made, with such married white persons as may be entitled to citizenship under Cherokee laws.

They shall make a roll of Cherokee citizens in strict compliance with the decree of the court of the United States rendered the third day of February, eighteen hundred and eighty-six.

The commission shall make rolls descriptive of the persons, so that they may be easily identified, and it is authorized to take a census of each tribe, or to adopt any other means by them deemed necessary to enable to make such rolls.

They shall have access to all rolls and records of the several tribes, and the United States court in Indian Territory shall have jurisdiction to compel the officers of the tribal governments, and custodians of such rolls and records, to deliver same to said commission, and on their refusal or failure to do so, to punish them as for contempt; as also to require all citizens of said tribes, and persons who should be enrolled, to appear before said commission for enrollment at such times and places as may be fixed by said commission, and to enforce obedience of all others concerned, so far as the same may be necessary, to enable said commission to make rolls as herein required, and to punish any one who may in any manner or by any means obstruct said work.

No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship.

The rolls so made, when approved by the secretary of the interior, shall be final, and the persons whose names are found thereon, with their descendants thereafter born to them, with such persons as may intermarry according to tribal laws, shall alone constitute the several tribes which they represent.

The members of said commission shall, in performing all the duties required of the by law, have authority to administer oaths, examine witnesses, and send for persons and papers; and any person who shall willfully and knowingly make any false affidavit or oath to any material fact or matter before any member of said commission, or before any other officer authorized to administer oaths, to any affidavit or other paper, to be filed, or oath taken, before said commission, shall be deemed guilty of perjury, and on conviction thereof shall be punished as for such offense.

HENRY L. DAWES, T. M. BIXBY, A. S. KENNON, T. B. NEEDLES, Commissioners.

COL. THOS. B. NEEDLES.

Interviewed by the Chieftain Man Friday.

Col. Thomas B. Needles, the popular member of the Dawes commission, came up from Muskogee on Friday morning and took the Frisco train east to St. Louis that evening.

Col. Needles is of the opinion that the Cherokee treaty will be ratified by congress with the amendments offered by Secretary Hitchcock, and that there will be little delay.

When asked with reference to the establishment of land offices in the Cherokee nation for the purpose of recording allotments of citizens he said that part of the work would possibly not be reached before spring of next year, as there is so much other preliminary work such as making the rolls of citizens, etc.

The roll of freedmen will be made at the same time as that of other citizens, and the commission begins the 14th of May in the eastern part of the nation, and will not reach Vinita before September.

In the meantime the townsite commissioners, who act independently of the Dawes commission, will go forward with the work of platting, appraising, and selling town lots throughout the nation and perhaps finish that branch of the work before allotment proper begins.

Col. Needles said the Creek treaty was in a bad condition, and the chances for an early settlement in that nation were not good. He said the commission was gratified at the prospect of a final and altogether fortunate settlement with the Cherokees, who have so many complications and knotty problems to settle, and that at last they would come out in advance of the other tribes.

The Wagoner Sayings gravely advises the Cherokees to vote against the treaty. The Sayings is able to see how Wagoner would get an exceedingly black eye when the treaty is ratified. The fatherly advice of the esteemed Sayings will be taken for all it is worth when its motive is considered. We are not a prophet, nor the son of a prophet, but predict that the treaty will be ratified, both in congress and by the Cherokees before midsummer.

The Daily Chieftain is fast gaining a general circulation in all the towns of the Cherokee nation.

ABOUT MINING LEASES.

The Attitude of the Cherokee Commission.

The letter of transmittal of the secretary of the interior and the supplemental statement of the Cherokee delegation with reference to the mineral leases may be of interest to the Cherokees and others, and is herewith printed:

Department of the Interior, April 18th, 1900.

Sir: I beg to transmit herewith for the consideration of the senate, an agreement between the commission for the five civilized tribes and the Cherokee tribe of Indians, dated April 9, 1900; also copies of the following communications relating to this agreement: First, a letter dated the 10th instant from the acting chairman of said commission; and, second, a letter dated the 9th instant, from the delegates who negotiated the agreement on behalf of the tribe. I respectfully recommend that section 10 and 11 of the agreement be amended as follows:

10. Lands allotted to citizens hereunder shall not in any manner whatsoever, or at any time, be incumbered, taken, or sold to secure or satisfy any debt or obligation contracted or incurred prior to the date of the deed to the allottee; and such lands shall not be alienable by the allottee or his heirs at any time before the expiration of five years from the ratification of this agreement, except with the approval of the secretary of the interior.

11. Before receiving his deed therefor, each citizen shall select from his allotment 40 acres of land, and if he fail to select the same it shall be selected by the Dawes commission, and the proper designation thereof shall be made in the deed to the allottee. Said 40 acres shall not be alienable at any time before the expiration of twenty-five years from the ratification of the agreement, except with the approval of the secretary of the interior, and during the time the same remains so inalienable shall not be subject to any tax or be incumbered, taken, or sold to secure or satisfy any debt or obligation of the allottee contracted or incurred while the land remains so inalienable. A lease which authorizes mining and the extraction of oil, coal, or other minerals from the land shall be considered an alienation within the meaning of this and the preceding section.

The purpose of this amendment is to protect the Indians against an improvident and wasteful disposition of their allotments. It will require the lapse of a few years after the ratification of this agreement to prepare the Indians for their new responsibilities, and during this period they ought not to be permitted of their own volition to dispose of any portion of their allotment; first, lest they make an improvident disposition thereof, and second, lest they waste or dissipate the proceeds of the sale. They should also be required to retain, without the unrestricted power of alienation for a period of twenty-five years, a portion of their lands, so that the experiment of allotting their lands in severalty and winding up their tribal government may not result in leaving them without a home or lands from which to obtain a livelihood, and therefore dependant upon the charity of the government. Other Indians obtaining allotments in severalty from the government are not permitted to dispose of any portion of their allotments for a period of twenty-five years. Subject to this amendment, I recommend that the agreement be ratified by congress.

Respectfully,
E. A. HITCHCOCK, Secretary.

The president pro tem of the senate.

Department of the Interior, Commission to the Five Civilized Tribes, Washington, D. C., April 10, 1900.

Sir: The commission has the honor herewith to transmit agreement, dated April 9, 1900, between the United States commission to the Five Civilized Tribes and the Cherokee tribe of Indians.

Very respectfully,
T. M. BIXBY, Acting Chairman.

The Secretary of the Interior.

Washington, D. C., April 9, 1900.

Sir: The undersigned delegates, representing the Cherokee nation in the matter of formulating an agreement in connection with the Dawes commission between the

United States and the Cherokee nation have this day completed their labors, and the agreement has been signed by the parties, respectively.

There is contained in said agreement a provision to the effect that section 13 of the act of congress approved June 28, 1898, known as the Curtis act shall not apply to or in any manner affect the lands or other property of the Cherokee nation. This agreement does not take effect until ratified by congress, and by the Cherokee people at a popular election to be called by the principal chief.

In the meantime, and pending negotiations and legislation on this subject, we respectfully request that you will not make or ratify any mining leases to lands in the Cherokee nation. We have signed this agreement believing that no such leases would be made, and we assure you that if any such leases should be made in the meantime the Cherokee people would reject this agreement at the polls. It is the universal desire of the Cherokee people that they should be permitted to take their allotments free from any incumbrance whatever, and especially free from any mining leases. While the Cherokee nation has authorized mining leases to be made, yet such authority cannot extend beyond the allotment of our lands, unless the United States shall ratify and confirm such leases, or make others under the thirteenth section of the Curtis act.

We are, very respectfully, your obedient servants,
L. B. BELL, PERRY WYLY, JESSE COCHRAN, BENJ. J. HILDERMAN, AND THE SECRETARY OF THE INTERIOR.

I concur in the foregoing.
T. M. BUXINGTON, Principal Chief Cherokee Nation.

OBJECTS TO SECTION 39.

Possibility of Causing More Litigation.

Claremore, April 20. — Editor Chieftain: Since some of the newspapers have seen fit to assert that the Cherokees have no mineral leases to worry about under the present Cherokee treaty, I am anxious to know, as well as some others, as to what is the meaning of the last clause of section thirty-nine of the treaty. What claims other than those arising under the laws, usages and customs of the tribe does this refer to? The opinion here generally is that reference is had to the Standard Oil and other mining companies, and will defeat the treaty sure if it is not changed by congress, for the people are averse to litigation.

JOHN BULLETTE.

This section was undoubtedly incorporated into the agreement in the interest of the mineral leases made under the Cherokee laws. Chief Buxington is authority for the statement that the matter was discussed while the agreement was pending, and that investigation showed that no leases had been approved by the secretary of the interior. In fact all such leases have been turned down by the secretary, who to make sure that no trouble could arise relative to these leases recommended amendments to the agreement to that effect in his report accompanying the agreement.

Tablequah, I. T., April 18. Mr. D. M. Marrs, Vinita, I. T.

Dear Sir:—Will you please inform me through the columns of The Chieftain, the meaning or construction placed by the committee on section 39, of the new treaty, where it says all conveyances, etc. shall serve as a guarantee to him of the title of the land against all claims, other than those arising under the laws etc. of the tribal authorities. Does it mean that, perchance a man takes an allotment on lands heretofore leased by the tribal authorities, the lease holds good and he loses his allotment?

If it does, it is a dangerous clause and should be deleted if possible, or amended. That, and the disposition of the high school buildings and grounds are the most unfortunate and unjust sections of the agreement.

When the United States buys our high school buildings, there is no obligation imposed to insure a school. If the doors are closed for good and all it is none of our business.

Respectfully,
E. M. LANDRUM.

Our impression on reading section 39, was that it had reference to improvements purchased from the Cherokee nation, known as "intruder places," on which there is a balance due the Cherokee nation, though the language is capable of a construction wider in its application.

AGAINST CREEK TREATY.

Senate Urged to Refuse to Ratify.

The Kansas City Star says: Secretary Hitchcock sent to Congress to-day the agreements made between the Creek and Cherokee nations and the Dawes commission. Mr. Hitchcock urges that the Creek agreement be rejected. His letter, which accompanied the agreement is as follows:

"After careful consideration of this agreement I am not willing to recommend its approval or ratification by Congress. It is, however, the best agreement which the commission was able to obtain from this tribe. Omitting all reference to minor exceptions, it seems to me subject to the following objections:

"First—The provisions for allotment in severalty to the members of the tribe are, many of them, confused, impracticable and ill calculated to protect the Indians against an improvident disposition of the land after allotment.

"Second—The provisions respecting townsites are limited to certain named towns, ranging in population from less than fifty to more than 1,500, and omit several established towns having a much larger population than some of those named.

"Third—In section twenty-six provision is made for the execution of conveyances by the principal chief to allottees and town lot purchasers, with an accompanying provision to the effect that all such conveyances shall be approved by the Secretary of the Interior, and that his approval shall serve as a guaranty of the title of the land conveyed. There is no precedent for this. Neither patents issued by the United States under the public laws, nor the patents issued by the Indians under the general allotment act, contain any covenants, nor do they operate as a guaranty of title. The Creeks have had a qualified title to their lands for many years; have long been in possession thereof; have been maintaining a qualified government of their own and have assumed to make leases and other disposition of their lands, which, while probably ineffective, would constitute a serious objection to the government's guaranteeing the title intended to be conveyed to allottees and town lot purchasers.

TO MAKE SURE OF THE COURTS.

"Fourth—The subdivision 'M' of section twenty-seven, taken with section forty-nine would leave in doubt the status of the courts of the Creek tribe. It was one purpose of the Curtis act to abolish these courts and every consideration is against reviving them and, therefore, the agreement should not leave this matter uncertain.

"Fifth—Section thirty refers all claims of whatsoever nature which the tribe, or individual members thereof may have against the United States, to the Senate of the United States, for determination or arbitration and provides that the same shall be determined by the Senate within two years from the ratification of the agreement. The precedent of recent years have been along the line of referring claims of this character to the court of claims.

"Sixth—The provision with reference to the enrollment of citizens are not as harmonious and clearly stated as matters of this kind should be and would be difficult of execution."

The Secretary's recommendations in reference to the Cherokee agreement are as follows:

"I respectfully recommend that sections ten and eleven of the agreement be amended to read as follows:

"Ten—Lands allotted to citizens hereunder shall not, in any manner whatsoever or at any time, be encumbered, taken, or sold to secure or satisfy any debt or obligation contracted or incurred prior to the date of the deed to the allottee; and such lands shall not be alienable by the allottee or his heirs at any time before the expiration of five years from the ratification of this agreement, except with the approval of the Secretary of the Interior.

"Eleventh—Before receiving his deed therefor, each citizen shall select from his allotment forty acres of land, and if he cannot select the same, it shall be selected by the Dawes commission, and a proper designation therefor shall be made in the deed to the allottee. Said forty acres shall not be alienable at any time before

the expiration of twenty-five years from the ratification of this agreement, except with approval of the Secretary of the Interior, and during the time the same remains inalienable shall not be subject to any tax or be encumbered, taken or sold to secure or satisfy any debt or obligation of the allottee contracted or incurred while the land remains so inalienable. A lease which authorizes mining and the extraction of oil, coal, or other minerals from the land shall be considered an alienation within the meaning of the preceding section."

"The purpose of this amendment is to protect the Indians against an improvident and wasteful disposition of their allotments. It will require the lapse of a few years after the ratification of this agreement to prepare the Indians for their new responsibilities, and during this period they ought not to be permitted of their own volition to dispose of any portions of their allotments; first, lest they make an improvident disposition thereof, and second, lest they waste or dissipate the proceeds of sale. They should also be required to retain, without the unrestricted power of alienation, for a period of twenty-five years, a portion of their lands in severalty, and winding up their tribal government, may not result in leaving them without a home or lands from which to obtain a livelihood, and therefore dependent upon the charity of the government. Other Indians obtaining allotments in severalty from the government are not permitted to dispose of any portion of their allotments for a period of twenty-five years. Subject to this amendment, I recommend that the agreement be ratified by Congress.—Very respectfully, R. A. Hitchcock, Secretary."

THE MODERN NEWSPAPER

Comparison of Advertising Mediums.

If you look yourself over and look your household over you will find that the things that you and your family wear, and eat, and drink, and use for all other purposes are advertised articles.

You bought them because you saw them advertised.

You saw them advertised in your newspaper.

The more you think of it the more you will be surprised at the few exceptions to this rule.

If you buy articles because you see them advertised, it is fair to assume that other people make their purchases for the same reason.

In the face of these facts can there be any need for argument to prove that if you have anything to sell you must advertise it in your newspaper?

There are other advertising methods. Some are better than others. None is so good as the newspaper.

If you place a circular, for instance, in the homes of a thousand people and place a newspaper advertisement in the homes of another thousand people, the newspaper will bring far better results than a circular provided; of course, the people are of the same class and the advertising matter tells the same story.

This may sound like a sweeping statement but if you will give it a moment's consideration you will see that it must be so, and why.

People have become accustomed to looking to the newspapers for all sorts of information.

In the beginning of newspapers people looked to them only for news.

Then as the newspapers broadened in their scope, they looked to them for miscellaneous reading and afterwards for good fiction.

When newspaper advertising arrived at the point where it was done intelligently and as a considerably large scale, people naturally grew into the habit of looking to the newspapers for information as to what to buy and where to buy it, as well as for other kinds of information.—Printers Ink.

BEGGS' Cherry COUGH SYRUP

Quick, Sure, Pleasant. Does not Nauseate. All Druggists.

A : NEW : FIRM!

Come in And See Them.

SAM. R. FRAZEE & CO.,

(Successors to Davis Hill & Co.)

Headquarters for Hardware, Furniture And Undertaking.

Come in and get acquainted with the new firm, and make yourself at home.

HELD HIGH

In the estimation of Practical Painters.

Every gallon of

THE SHERWIN-WILLIAMS PAINT

will cover 300 or more square feet of surface in average condition, two coats to the gallon. Every gallon is a full U. S. standard measure. It is made to Paint Buildings with. It is the best and most durable House Paint made.

Sold by P. G. BROWNING, Vinita, I. T.

Clocks....

If you want a Clock of any kind come and see what I have.

Nickel Alarm Clocks Only 98c.

8-Day Clocks, Strike and Alarm, Only \$3.00.

Fancy Cabinet Clocks \$7.00 to \$15.00.

Fine and Complicated watch repairing a specialty. MOTTO—Not the cheapest but the BEST work at all times.

August Schliecker, Jeweler and Optician.

Wilburton Lumber Com'y

New Yards and a New Stock of the Best and Cheapest Lumber to be had in the country. We can supply you wants in Building Material at Lowest Prices.

Let us figure with you on the next bill of lumber you buy. Our prices are lower than our competitors, and

Our Materials are the Very Best Obtainable.

The New Route

...To...

Memphis, The East

and

...Southeast...

PULLMAN BUFFET SLEEPERS! SOLID WIDE VESTIBULED TRAINS!

Free Reclining Chair Cars Fort Smith To Memphis Without Change.

HENRY WOOD, Gen. Mgr. J. F. HOLDEN, Traffic Mgr.

LITTLE ROCK, ARKANSAS.

A. N. GREEN

Is agent for the Celebrated

"McCORMICK" HARVESTER AND MOWER.

Will also carry a full line of Parlin & Orendorff Farm Machinery. Walking and Riding

Plows, Listers, Other Farm Machinery.

Office and Warehouse across the street east of the Hotel Green, Vinita, Ind. Ter.

The Daily Chieftain

40c a Month by Mail.